

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.12111 OF 2002

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Date: 13th October 2006

Between:

1. S. Saraswathamma, w/o S.Rami Reddy,
Hindu, aged 35 years, Fair Price Shop Dealer,
r/o Orvakal (V) & (M), Kurnool district
and 2 others.

.... Petitioners.

And

1. The Revenue Divisional Officer, Kurnool
and 2 others.

.... Respondents.

* * *

ORDER:

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This writ petition is filed seeking a writ of Mandamus declaring proceedings in Rc.B.780/2002, dated 27.5.2002, of the first respondent, as arbitrary, illegal and violative of principles of natural justice.

2. While admitting the writ petition this Court by an order dated 28th October 2002 in W.P.M.P.No.14956 of 2002 held that *prima facie* it is evident that the impugned order was passed without issuing notice to the petitioners, though an appeal is said to have been preferred to the third respondent against the impugned order, inasmuch, it was passed on the directions of the third respondent as contained in his letter dated 11.5.2002, referred to in the

impugned order, nothing can be expected therefrom. Accordingly, there shall be interim suspension of the impugned order dated 27.5.2002. Further, it was made clear that this will not preclude the respondents from passing orders duly complying with the relevant provisions and issuing notice to the petitioners.

3. Learned Government Pleader, on instructions, submits that thereafter on 09.12.2002 a show cause notice has been issued to the petitioner and ultimately the authorization of the petitioner was cancelled on 30.1.2003.

4. In view of the above, nothing survives in the writ petition for adjudication. Therefore, the writ petition is dismissed as infructuous. No costs.

C.V.RAMULU, J.

Date: 13th October 2006.
BSB